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3374 (PHA 4140)
PATENT

Sub A
comprising a therapeutically or prophylactically effective COX-2 inhibiting amount of an organic extract of an edible plant, wherein the plant is selected from the orders consisting of Agavales, Apocynales, Arales, Aristolochiales, Asterales, Brassicales, Cactales, Caryophyllales, Cucurbitales, Elaeagnales, Fagales, Gnetales, Graminales, Lamiales, Liliales, Malvales, Musales, Myrtales, Papaverales, Plantaginales, Polemoniales, Ranales, Rosales, Rubiales, Rutales, Scrophulariales, Umbellales, Urticales, and Violales.

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85. (amended) A method of treating or preventing COX-2 mediated inflammation or an inflammation-associated disorder in an organism with a condition which is mediated by COX-2 expression, the method comprising administering to the organism a composition comprising a therapeutically or prophylactically effective COX-2 inhibiting amount of the purified composition according to claim 78.

REMARKS

With this response, claims 1-5, 35, 37, and 78-93 are pending. Claims 1-3 and 85 have been amended. Support for the amendments in claims 1, 3, and 85 can be found in the specification on p. 17, lines 6-15. Support for the amendments in claim 2 can be found in original claim 5.

I. 35 U.S.C. 102(b) Rejection

Reconsideration is requested of the rejection of claims 1-5, 35, 37, 78, 79, 81, and 85-93 under 35 U.S.C. 102(b) as being unpatentable over EP 0248215 ("EP '215").

As amended, claims 1, 3, and 85 are directed to methods of treating an organism for a condition mediated by COX-2 expression. The methods comprise administering to the organism having such a condition a composition comprising a COX-2 inhibiting amount of an extract of *Vitex agnus castus*.

Unlike EP '215, the methods of claims 1, 3, and 85 are not methods of treatment for hyperprolactinemia, a condition which, to the Applicants' knowledge and the art of record, is not mediated by COX-2 expression. Instead, claims 1, 3, and 85 are directed to methods of treatment of an organism having a condition mediated by the expression of COX-2. These claims are novel over EP '215, as the reference does not teach the administration of the extract disclosed therein to an organism having a condition mediated by the expression of COX-2, the administration of the compound in a COX-2 inhibiting amount, or the use of the compound to inhibit COX-2.